

Serial No.: 10/591,450
Atty. Docket No.: P71418US0

REMARKS

The Office Action mailed March 22, 2010, has been carefully reviewed and, by this Amendment, claim 1 has been amended. Claims 1-31 are pending in the application. Claims 1, 25 and 28 are independent. Claims 25-31 are withdrawn.

The Examiner advised Applicants' representative, Suzin Bailey, by telephone on March 4, 2010, that the claims were directed to three Groups of inventions. In particular, the Examiner identified the claims as being divided into Group I, claims 1-24; Group II, claims 25-27; and Group III, claims 28-31. During the same telephone conversation, Ms. Bailey provisionally elected Group I on behalf of the Applicants. This provisional election is hereby confirmed, with the understanding that Applicants reserve the right to file the non-elected claims in one or more divisional applications.

As an initial matter, Applicants have amended the abstract and specification to correct typographical errors and informalities noted therein. In addition, text further explaining that which was shown in the drawings as original filed has been added. No new matter has been added.

The Examiner provided a claim language interpretation in which she indicated that the term "release liner" as used in the claims appears to refer to a flange that is interposed

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between adjacent flanges of an ostomy appliance and that remains therebetween while the appliance is in use. This is not correct. Rather, as used in the claims and specification, the term "release liner" has its accepted meaning as described by the Examiner on pages 4 and 5 of the Office Action. Therefore, the release liner included in the claims is used to cover an adhesive surface and is removed prior to use of the appliance.

The intended meaning and function of the release liner as claimed has been clarified in the specification through the amendments made herein to pages 15 and 18. In addition, the text in the paragraph beginning on line 5 of page 13 of the specification has been amended to correctly identify the respective bag liner surfaces. Specifically, it is the *second* surface 40 of the first flange of the inner bag liner that is adhered to the second surface of the receiving member (see, for example, page 12, line 21-22; page 16, lines 1-3). The *first* surface 78 of the first flange of the inner bag liner is covered by the release liner 2 that includes the alignment element (see Figures 14 and 15); the first surface, once the release liner is removed, is configured to be adhesively coupled to the base plate 76 which is typically adhered to the skin of the user (see page 16, line 16).

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With more particular reference to the text added to pages 16 and 18 of the specification herein, this text is fully supported by Figures 14 and 15 as originally filed. As shown in Figures 14 and 15, the inner bag liner 16 has a release liner 2, and is used with an outer receiving member 20 and a base plate 76. In Figure 15, the inner bag liner 16 is shown in the compacted state and in Figure 14 the liner is shown in the unfolded state. The first flange of the inner bag liner 16 has a first surface 78 and a second surface 40. The second surface 40 is to be adhered to the outer surface 80 of the second flange 48 of the receiving member 20, while the first surface 78, once the release liner has been removed (see Figure 14) is to be adhered to the base plate 76. *When the inner bag liner 16 is applied to the receiving member, the release liner 2 is still attached* (see Figure 15). As a result, the alignment element that is part of the release liner may be used to align the first flange of the bag liner with the second flange of the receiving member.

After the first flange 36 is properly aligned with and attached to the second flange 48, an overlap 84 is provided between the flanges (see Figure 15). The user can then push the inner bag liner 16 into the outer receiving member 20 by inserting a finger into the hole 14, causing the cover 42 to rupture and the inner bag liner 16 to be forced into the outer

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receiving member 20. *The release liner 2 may then be removed (see Figure 14), leaving the adhesive first surface 78 of the first flange ready for adherence to the base plate 76.* Favorable reconsideration of the claims in view of the known definition of the term "release liner" is therefore requested.

The Examiner rejected claims 1-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,785,695 to Sato et al. ("Sato") in view of U.S. Patent No. 5,865,819 to Cisko, Jr. et al. ("Cisko").

Sato teaches fitting portions on two mating flanges (see column 3, line 60 to column 4, line 9). These mating flanges do not correspond with a removable release liner having an alignment element as claimed. On the contrary, the flanges in Sato remain in place during use of the appliance. With the alignment element of the presently claimed invention, by contrast, the release liner and alignment element are removed after the flanges of the bag liner and the outer receiving member have been adhered to one another. As a result, the present invention provides for a more compact and flat ostomy appliance configuration during use than is possible with Sato.

Cisko teaches an outer pouch and an inner pouch having *separate adhesive flanges that are not connected to one another.* Therefore, unlike the present invention, considerations of

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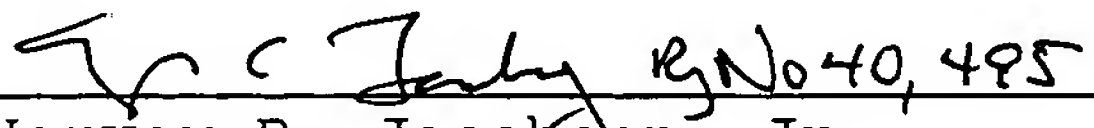
alignment do not arise in Cisco (see column 2, lines 22-35; column 4, lines 19-22). As a result, the skilled person would not look to Cisco when faced with the problem of adhering one flange on top of another with proper alignment as in the present invention. Nor would Cisco provide any teaching that would lead the skilled person to the presently claimed invention.

In view of the foregoing amendments and remarks, claim 1 is patentable over the prior art. Claims 2-24 are also allowable as claims properly dependent on an allowable base claim. Favorable reconsideration and allowance of the pending claims is requested.

Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By  R/N 40,485
for Harvey B. Jacobson, Jr.
Reg. No. 20,851

400 Seventh Street, NW
Washington, D.C. 20004-2201
Telephone: (202) 638-6666
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HBJ:SCB